

REMARKS

This Reply to Office Action is responsive to the Office Action mailed on October 11, 2006. Claims 17-39, 44, 46 and 47 are pending in the present Application.

With this Reply, Applicants submit a Petition for a Three-Month Extension of Time, making Applicants' Reply due on or before April 11, 2007. Accordingly, Applicants' Reply is timely filed.

The Examiner rejected claims 17, 23-28, 31, 33-36 and 44 under § 102(b) as being anticipated by *Sanchez, et al.* (U.S. 6,086,415). The Examiner also rejected claims 17-20, 22-28, 30-37, 39, 44, 46 and 47 under § 103(a) as being unpatentable over *Curry, et al.* (U.S. 6,053,764) in view of *Arnett* (U.S. 5,238,926). The Examiner further rejected claims 21 and 38 under § 103(a) as being unpatentable over *Curry* in view of *Arnett*, and further in view of *Rutkowski, et al.* (U.S. 5,639,261). The Examiner also rejected claim 29 under § 103(a) as being unpatentable over *Curry* in view of *Arnett*, and further in view of *Gutierrez, et al.* (U.S. 6,585,540). However, Applicants submit that claims 17-39, 44 and 46-47 are patentable over the cited prior art, taken alone or in combination.

As shown in FIG. 2, independent claim 17 requires a frame 22 having a top flange 30 and a bottom flange 34. Frame 22 includes a plurality of faceplate openings 38. As best seen in FIG. 12, faceplate 24 is mountable to the frame 22 within the top flange 30 and the bottom flange 34, and the faceplate 24 has a plurality of mounting openings 56, 58, 60, 62. Each mounting opening has at least one modular jack retention latch 64 or 66 protruding within the mounting opening (see FIG. 6). Patch panel 20 also includes at least one modular jack 26 mountable into a rear side of the faceplate 24.

Applicants submit that *Sanchez* does not disclose a faceplate having a plurality of mounting openings and each mounting opening having at least one modular jack retention latch protruding within the mounting opening. As best seen in Fig. 3, *Sanchez* discloses a jack holder (22) mountable to a front panel (24), and the jack holder (22) has a plurality of mounting openings (32). However, each mounting opening (32) does not have at least one modular jack retention latch protruding within the mounting opening. In fact, mounting opening (32) does not have any structure protruding therein. The Examiner erroneously contends that mounting opening (32) has at least one modular jack retention latch (at 44) protruding within the mounting opening. As shown in Figs. 3 and 5 and as described in column 3, lines 29-31, upper engagement member (38) includes rearwardly extending projection (42) with an undercut portion (44). Undercut portion (44) is not part of jack holder (22), nor does undercut portion (44) protrude within mounting opening (32).

In response to Applicants' arguments, the Examiner contends essentially two things: 1) element (44) is a retention latch; and 2) element (44) protrudes within mounting opening (32). The Examiner states that the fact that portion (44) is not part of the jack holder does not preclude it from being a retention latch. Applicants agree. However, this fact does preclude portion (44) from being a modular jack retention latch. Claim 17 requires at least one modular jack retention latch. By its very nature, a "modular jack retention latch" is a retention latch for a modular jack. Thus, even if portion (44) is a retention latch, portion (44) is not a modular jack retention latch.

The Examiner further states that the mounting opening is not limited to that portion in the front of the jack holder, but it extends backwards from the front face. Applicants disagree. Mounting opening (32) only extends from the front to the back of vertical member

(34) (*i.e.*, the thickness of vertical member (34)), not within the plane extending rearwardly from mounting opening (32). However, even if Applicants adopted the Examiner's erroneous construction of the term "mounting opening," portion (44) does not even protrude within the plane extending rearwardly from mounting opening (32). In fact, portion (44) protrudes either above or below such a plane. Accordingly, Applicants submit that independent claim 17 is patentable over *Sanchez*. Claims 18-39 are asserted to be allowable based on their dependency from allowable claim 17.

For at least the reasons discussed above regarding independent claim 17, Applicants submit that independent method claim 44 is patentable over *Sanchez*. Claims 46 and 47 are asserted to be allowable based on their dependency from allowable claim 44.

Applicants also submit that *Curry* and/or *Arnett*, taken alone or in combination, do not disclose each mounting opening 56, 58, 60 or 62 having at least one modular jack retention latch 64 or 66 protruding within the mounting opening. As discussed in specification paragraph [0036], modular jack retention latches 64, 66 protrude within the mounting opening, such as mounting opening 56 (see FIG. 6), and allow the modular jacks, such as jack 26, to be mounted straight into the rear of the faceplate 24. Thus, the modular jack retention latches 64, 66 maximize the patch panel density because the straight-in insertion of the modular jacks minimizes the required distance between two vertically stacked modular jacks.

The Examiner contends that *Curry* discloses faceplate (14) having a plurality of mounting openings (at 16) and at least one modular jack retention latch (51, Fig. 4). The Examiner is correct in that *Curry* discloses front housing (14) having a plurality of apertures

(16) and at least one latch hook (49 or 51, see Fig. 4). However, claim 17 requires a faceplate having a plurality of mounting openings and each mounting opening having at least one modular jack retention latch protruding within the mounting opening. *Curry* does not disclose apertures (16) having any modular jack retention latches, nor does *Curry* disclose any modular jack retention latches protruding within the apertures (16). Thus, contrary to the Examiner's contention, *Curry* does not disclose substantially the claimed invention except for a retention latch for each mounting opening.

In response to Applicants' arguments, the Examiner contends that *Curry* shows the retention latch (51) protruding within the mounting opening (as the mounting openings extend from the front to the back of the faceplate (14). Applicants agree that apertures (16) extend from the front to the back of the front housing (14)). However, as clearly shown in Fig. 4, latch hooks (49 and 51) do not protrude within the apertures (16). Moreover, as best seen in Fig. 10, rear housing member (21) has latching notches (58 and 59) spaced for engagement with latching hooks (49 and 51). Thus, latching hooks (49 and 51) are not "modular jack" retention latches.

The Examiner also contends that *Arnett* teaches a faceplate (30) having a mounting opening (16) and the mounting opening having at least one modular jack retention latch (59) to hold the connector secured to the faceplate. *Arnett* does not disclose adapter (30) having any modular jack retention latches. Even if inner wall surface (59) of groove (55) is construed to be a modular jack retention latch, which Applicants dispute, inner wall surface (59) of groove (55) certainly does not protrude within the mounting opening. In fact, groove (55) does exactly the opposite, because groove (55) is recessed from the mounting opening. Further, it would not be obvious to modify adapter (30) to include a modular jack

retention latch protruding within the mounting opening. In fact, if inner wall surface (59) of groove (55) protruded within the opening of adapter (30), connector (60) would be inoperable for its intended purpose. Accordingly, Applicants submit that independent claim 17 is patentable over *Curry* and/or *Arnett*, taken alone or in combination. Claims 18-39 are asserted to be allowable based on their dependency from allowable claim 17.

For at least the reasons discussed above regarding independent claim 17, Applicants submit that independent method claim 44 is patentable over *Curry* and/or *Arnett*, taken alone or in combination. Claims 46 and 47 are asserted to be allowable based on their dependency from allowable claim 44.

In view of the above, Applicant submits that claims 17-39, 44, 46 and 47 are allowable and favorable reconsideration is respectfully requested.

Respectfully submitted,

Dated: April 11, 2007



Christopher S. Clancy
Reg. No. 44,618
Attorney for Applicants

Panduit Corp.
Legal Department - TP12
17301 S. Ridgeland Avenue
Tinley Park, Illinois 60477-3091
(708) 532-1800. Ext. 1302